

MINUTES

RANDOLPH COUNTY PLANNING BOARD

October 3, 2006

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, October 3, 2006, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Lynden Craven** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the members: Lynden Craven, Chairman, present; Jim Rains, Vice Chairman, absent; Larry Brown, present; Phil Ridge, absent; Chris McLeod, present; Reid Pell, present; Wayne Joyce, present; and Danny Shaw, Alternate, present (representing regular member Rains). **County Attorney Alan Pugh** was present for this meeting.
3. **Pell** made the motion, seconded by **Brown**, to approve the minutes of the September 12, 2006 Randolph County Planning Board meeting. The motion passed unanimously.
4. **REQUESTS FOR PROPERTY REZONING:**

JEFFREY RAINS, Trinity, North Carolina, is requesting that 10.39 acres located at 9118 Archdale Road, Trinity Township, be rezoned from RA to HC-CD. Primary Growth Area. Tax ID# 7726235258. The proposed Conditional Zoning District would specifically allow an automotive repair garage in an existing building as per site plan.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommends to the County Planning Board that this request be approved as consistent to existing land patterns along this major highway.

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 4.2 Highway oriented commercial uses should be clustered along segments of arterial streets and contain land uses that are mutually compatible and reinforcing in use and design. They should be designed in a way that minimizes signage, access

points and excessive lengths of commercial strip development.

Policy 4.6 *Compatible land uses such as rural neighborhood retail and service establishments located close to general residential areas should be considered during the rezoning process with the general goal of reducing automobile travel distances and promoting better livability in the community.*

Rains was present and expressed his intentions to rent the building to be used for an automotive repair shop. Rains said the tenant will be able to work on 3 cars in the shop and will have no more than 4 or 5 located outside the building. Rains said he will add a bathroom to the building and possibly add another door. Rains said there will be no junk vehicles storage allowed on the property. Rains said there will be no outside storage of junk parts. Rains said there will only be one employee that will work from 8 am to 5 pm, Monday through Friday. **Doug Shores**, proposed tenant, said that he will provide general automotive repair service. **Rains** said the building is approximately 2200 sq. ft. **Johnson** asked why he is requesting the entire tract be rezoned; and **Rains** answered that his future plan is to come back to the Board to request a lawn and garden business on the remainder of the property.

Doris Davis, 9099 Hillsville Road, said that the notice she received had the wrong address describing this property. Davis said she lives in front of the property and has a nice home. Davis said there are several nice homes in the area. Davis talked about perking problems in the area. Davis expressed concern for the traffic in this area and the traffic this business would add to the road. Davis said that she opposes this rezoning request.

Gilbert English, 9120 Hillsville Road property owner, said that he owned the property when the building was original constructed. English said he subdivided his property and sold the portion of his property that this building was on. English said he built this garage for personal use. English said that he asked the Board to rezone the property for commercial use and it was denied. English said that the doors on the building face the house he owns. English said that cars will be parked outside and will sit there for some time. English said that some people won't pay the bills and the cars will be stored outside the building until the bills are paid. English said the garage has floor drains that are not approved for commercial use. English said there is no oil separator on the drainage system in the building. Gilbert said that he tried to get it perked for years and couldn't. **Pugh** said that just because a parcel is rezoned does not mean it perks. Pugh said that is a separate issue handled by the Health Department. English said that the existing drive to the building is on his property and he will not allow the drive to be used for commercial traffic. English expressed strong opposition to the request.

Rains provided the Board with information from a soil scientist that the property will perk. Rains said that he plans to put another driveway into the property. Rains said that he has 300 ft. of road frontage.

Johnson said that the Board could consider a buffer to protect the neighbors. Rains said

that he would agree to a buffer of leland cypress trees. **McLeod** said that the parking area should be moved to provide appropriate protection to the neighbors. **Pugh** said that this area has been designated as a Primary Growth Area that anticipates commercial growth. Pugh said that the Board is confronted with the plan and should consider the type of issues being discussed (such as buffer, parking location, etc.).

Shaw asked what kind of problems the property owner faces trying to change the building from residential to commercial use. **Pugh** said the property owner will have to satisfy the appropriate regulatory agencies such as County Building Inspections, N.C. Department of Natural Resources, etc. Pugh advised the Board that the request is consistent with the Land Use Plan.

Pell made the motion to recommend to the Commissioners that this request be approved with the following conditions:

- **appropriate buffers
- **relocation of parking

McLeod seconded the motion. The motion passed unanimously.

5. **Request for Expansion of Rural Growth Area, County Growth Management Plan**

Community request that the Rural Growth Area as reflected on the Randolph County Growth Management Plan be extended to include the boundaries of Earl Johnson Road, Branson Davis Road, and Walker Mill Road; as reflected on the attached map. The request is submitted to maintain for low density development and to enhance water quality protection for the Randleman Lake.

Johnson said the Growth Management Plan provides general guidelines for development in Randolph County. Johnson described Municipal Growth Areas as those areas that would be urban in character and impacted by municipal growth. Primary Growth Areas are areas we anticipate future water and sewer lines and primarily commercial or industrial development is projected. Secondary Growth Areas are areas that primarily anticipate expansion of conventional residential subdivision development. Johnson described the Rural Growth Areas as low density and rural in character. Johnson said that low density is in the eye of the beholder. In February 2002, the Commissioners defined low density as minimum lot sizes of 3 acres within major residential subdivisions. Johnson said in January 2006 some of the most comprehensive laws concerning land development by the N.C. General Assembly. Since that time the Growth Management Plan has taken on more significance. Johnson said when a zoning decision is made it must be done based on a plan. Johnson said that when a request is approved the Board considers those characteristics of the Growth Management Plan consistent with the request. Johnson said that when you deny a request, local government boards must determine what is unique about the request that is not consistent with the Growth Management Plan. Johnson said that the County Attorney is invaluable in pointing out the importance of following the Growth Management Plan. Johnson said

this plan was adopted in 2002 and development changes over time. Johnson explained that water and sewer lines expanding out into new areas changes development patterns and therefore should be reflected on the plan. Johnson said that this request is in close proximity to all the different growth areas. Johnson said the Rural Growth Areas in this community are also generally located in the Water Critical Watershed Area of the Randleman Lake.

Pugh announced that he has been called to another meeting. Before leaving he advised the Board that this decision is a policy decision and the Board is unfettered in taking into consideration any factors they chose in determining a recommend to the Commissioners for this area. Pugh said the Board can recommend no change to the Growth Management Plan, a change to all of it, or a change to part of it. *After determining the Board had no further questions, Pugh left the meeting.*

Johnson said this issue came up as a result of a major subdivision request in this area. Johnson said the Commissioners denied that request due to the location of the proposed I-74 Bypass and there also were concerns of the close proximity to the Randleman Lake and the Rural Growth Areas.

Lynn Small, 4807 Walker Mill Road, said that he was speaking for 7 residents of this community and they want to preserve as many rural characteristics of the area as possible. Small said that traditionally large tracts have been maintained in the area. Small said the larger home sites would still allow reasonable development. Small said that much of the area contains wet areas and streams, and less intense development will help protect the quality of water for the lake. Small said that this zoning change would help protect the existing residents' quality of life. Small said this does not change current home sites and would only effect new major residential subdivision development.

Butch Coltrane, 1537 Commonwealth Road, said that most of the people in the area are for maintaining large tracts of land. Coltrane said that requiring larger lot sizes doesn't impose any economical hardships. Coltrane said they realize that growth will occur but they would like to protect their quality of life.

Gene Patterson, 5030 Branson Davis Road, expressed concern that lots are being cut narrow and deep. Patterson said that he thinks 3 acres will give the community elbow room. Patterson said there are some perking problems in the area.

There were 9 people present in favor of this request.

Larry East, Hwy 311N, Sophia, said that he feels the Secondary Growth Area should remain. East provided the Board with a letter of opposition from Arlin Buttke, Buttke

Dairy Enterprises. East said that he was the applicant for the 50-lot subdivision that was denied. East said now the community is asking for this change and he doesn't feel it is fair. East said that his proposal was designed to prevent the homes from being visible from the existing road.

Board member Joyce asked if any request like this has come to the Board before and **Johnson** answered no. Johnson said that wetlands and creeks in this area have brought out some concerns for this area. Johnson explained that this is a recommendation that will be forwarded on to the Commissioners for a final decision.

Chairman Craven said that over all the years he has served on this Board he has heard the talk of Randleman Lake. Craven said he didn't think he would ever see the lake, and now he can hardly believe that it is filling up. Craven said being a country boy he likes elbow room. Craven said that if this kind of money is being spent on Randleman Lake we must protect the surroundings of the lake.

Brown asked Johnson if he felt this area could have gone either way when the growth area was designated and **Johnson** answered yes.

McLeod said that he understood the concerns of those people for and against this request. However, McLeod expressed concern that if this change is approved it could open the plan up for many changes.

Brown made a motion to recommend to the Commissioners that the request be approved because of the community support, concern for wetlands, and the fact that it adjoins a Rural Growth Area. **The motion failed for lack of a second.**

Shaw asked Johnson why the Commissioners denied the proposal. **Johnson** answered because of the proposed type of housing, proposed bypass, and its close proximity to the Randleman Lake Water Quality Critical Areas.

Joyce asked if the Growth Management Area will need to be changed to permit commercial development along the new highway if the bypass is built. **Johnson** said that there will be very limited access to the highway in this area. Johnson said that when water lines are developed the entire area could be reconsidered.

Johnson said that the highest growth area of the County is the northwest quadrant and the only Rural Growth Area in this vicinity is the Randleman Lake Water Quality Critical Area. Johnson said that he can understand the concern of the Board.

Brown said that the only possible consideration to change the growth area is the

Randleman Lake.

McLeod made the motion, seconded by **Pell**, to recommend **denial** of this request and retain the Secondary Growth Area designation in this area. The motion passed unanimously.

6. The meeting adjourned at 7:53 p.m. There were 17 people present for this meeting.

**NORTH CAROLINA
RANDOLPH COUNTY**

HAL JOHNSON

Planning Director

JILL WOOD

Date

Clerk/Secretary